



SAN FRANCISCO DISTRICT

US ARMY CORPS
OF ENGINEERS

NOTICE OF PUBLIC HEARING

GATEWAY/MONTANERA DEVELOPMENT

COE FILE NUMBER: 22762S

Regulatory Branch
333 Market Street
San Francisco, CA 94105-2197

DATE : **March 30, 1998**

PROJECT MANAGER: Molly Martindale (415) 977-8448

mmartindale@smtp.spd.usace.army.mil

A Public Hearing will be conducted on the application to the Corps of Engineers for a permit to place fill in wetlands and waters of the United States for the proposed Gateway/Montanera Development project in the City of Orinda on:

**April 27, 1998
Monday
7:00 to 10:00 p.m.**

at

**Miramonte High School
750 Moraga Way
Orinda, CA**

in the

**Lecture Hall
(campus map attached)**

This meeting is held pursuant to Section 404 of the Clean Water Act (33 U.S.C. 1344) and to regulations described in 33 CFR 327. The purpose of the hearing is to acquire information or evidence to be considered in evaluating this proposed permit

action and to afford the public an opportunity to present their views, opinions, and information on the proposed project.

I. BACKGROUND: In February of 1997,

Orinda Gateway LLC applied for a Department of the Army permit to fill 5.27 acres (ac) of wetlands and 26,164 linear feet (lf) of streambed (including 3,770 lf of Brookside Creek) in the Gateway Valley in Orinda, Contra Costa County. A Public Notice for this project was published on October 8, 1997. We received approximately 56 comment letters on the project proposal.

The applicant subsequently submitted responses to these comments in two volumes: "Letters and Responses to Comments, (Volume 1)," dated December 22, 1997, and "Responses to Comments, Technical Exhibits, (Volume 2)," dated December 31, 1997. These documents are available for review at our offices (by appointment) [333 Market Street in San Francisco (415) 977-8448], at the City of Orinda offices [26 Orinda Way, Orinda, (510) 253-4210], and at the Orinda Public Library, [2 Irwin Way, Orinda, (510) 254-2184].

The main changes which have been made to the project as it relates to the Corps permit process are:

= The applicant has reduced the amount of linear feet of fill proposed for Brookside Creek by half, to 1,920 lf.

= By purchasing some additional acreage to the east of the farm buildings on Brookside Creek, the applicant has made it possible to redesign the golf course in such a way as to avoid filling the small tributary to Brookside Creek in which California red-legged frog individuals have been found.

= The applicant has provided further details on the proposed designs for Brookside and upper Moraga Creeks, for the creation of seep/spring areas, and for on-site red-legged frog habitat creation.

= The applicant has redesigned the project to

avoid an additional 0.6 ac of seeps, reducing the total impacts to seeps and springs to 3.22 ac.

II. MEETING DETAILS

Poster Session. There will be a poster session from 6:00 - 7:00 p.m. in front of the meeting room (displays may remain up until the end of the hearing). The project proponents will be invited to display any information on changes in the project since the Public Notice was issued, and anyone else who would like to present information in a display format may also do so. We are not likely to have access to furniture, so "exhibitors" should probably bring any tables, tape, pins, or other items they may need to use.

Procedures for Speakers. Attendance cards will be available outside the lecture hall from 6:00 p.m. until the meeting adjourns. Attendees wishing to speak at the meeting should mark the appropriate box on the attendance card. The completed cards will be stacked in the order received and speakers will be called in that order.

The number of speakers (with allowance for potential late arrivals) will determine the amount of time available to each speaker. It is expected that the maximum amount of time available will not be more than 5 minutes.

The project proponents will be given 15 minutes at the beginning of the hearing in which to present changes which have been made in response to Public Notice comments or in the course of the City's Supplemental Environmental Impact Report process. At the end of the hearing they will also be afforded a limited opportunity to respond to comments made during the hearing.

Due to the time constraints, speakers are requested to avoid duplicating comments that have been made earlier in the hearing, as much as possible. It is further requested that speakers focus their comments on the revised version of the project as represented in Volumes I and 2 of the Responses to

Comments on the Corps Public Notice, and/or the Responses to Comments themselves.

Written Testimony. A court reporter will be recording the meeting, and all testimony will become part of the project record and will be reviewed during the decision-making process. Although actual speaking time will be limited, anyone can submit written comments of any length at the hearing, and for up to ten days following the hearing. Comments submitted after the hearing should be sent to Lt. Colonel Richard G. Thompson, District Engineer, Attention: Regulatory Branch, U.S. Army Corps of Engineers, 333 Market St., San Francisco, CA 94105-2197.

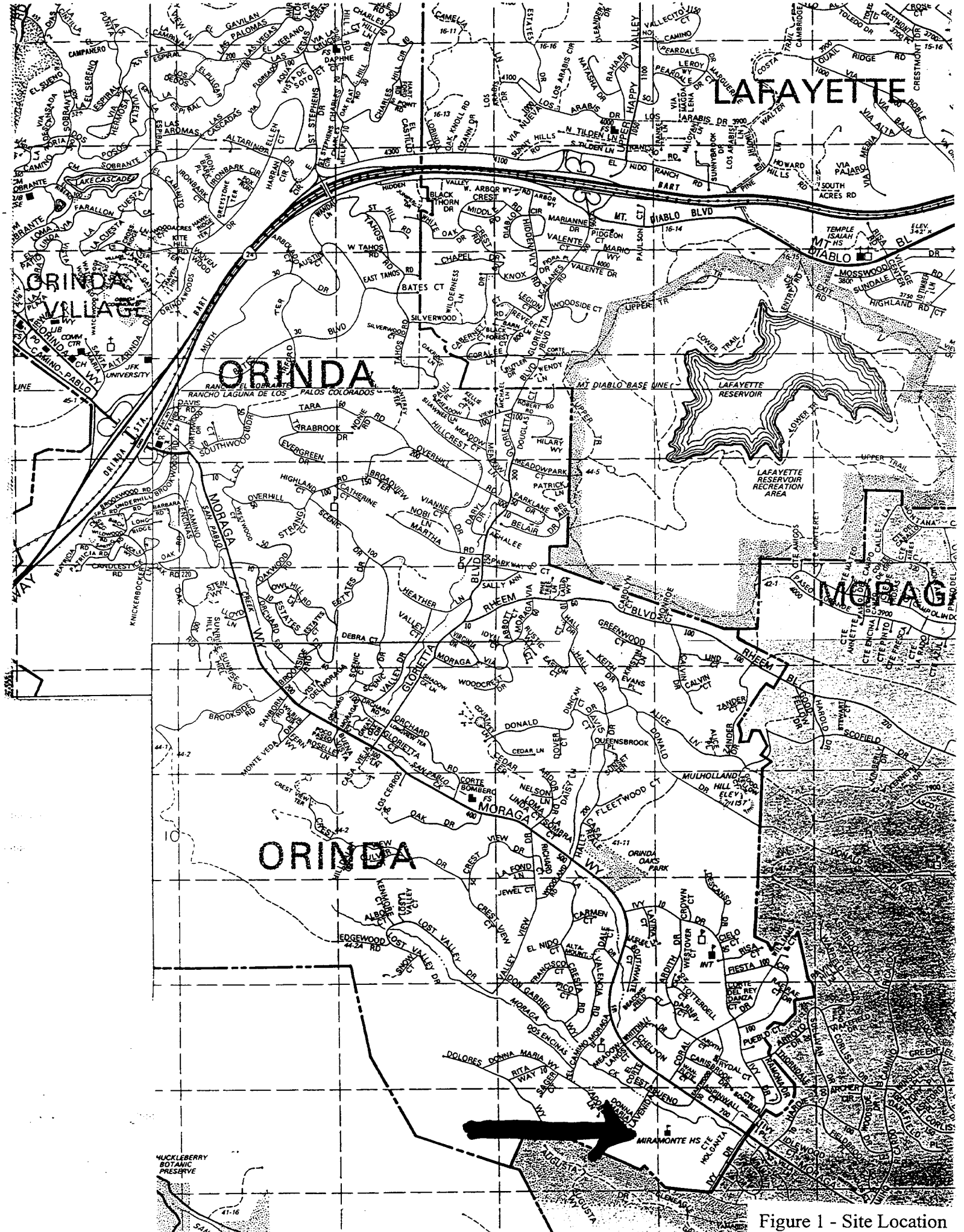


Figure 1 - Site Location

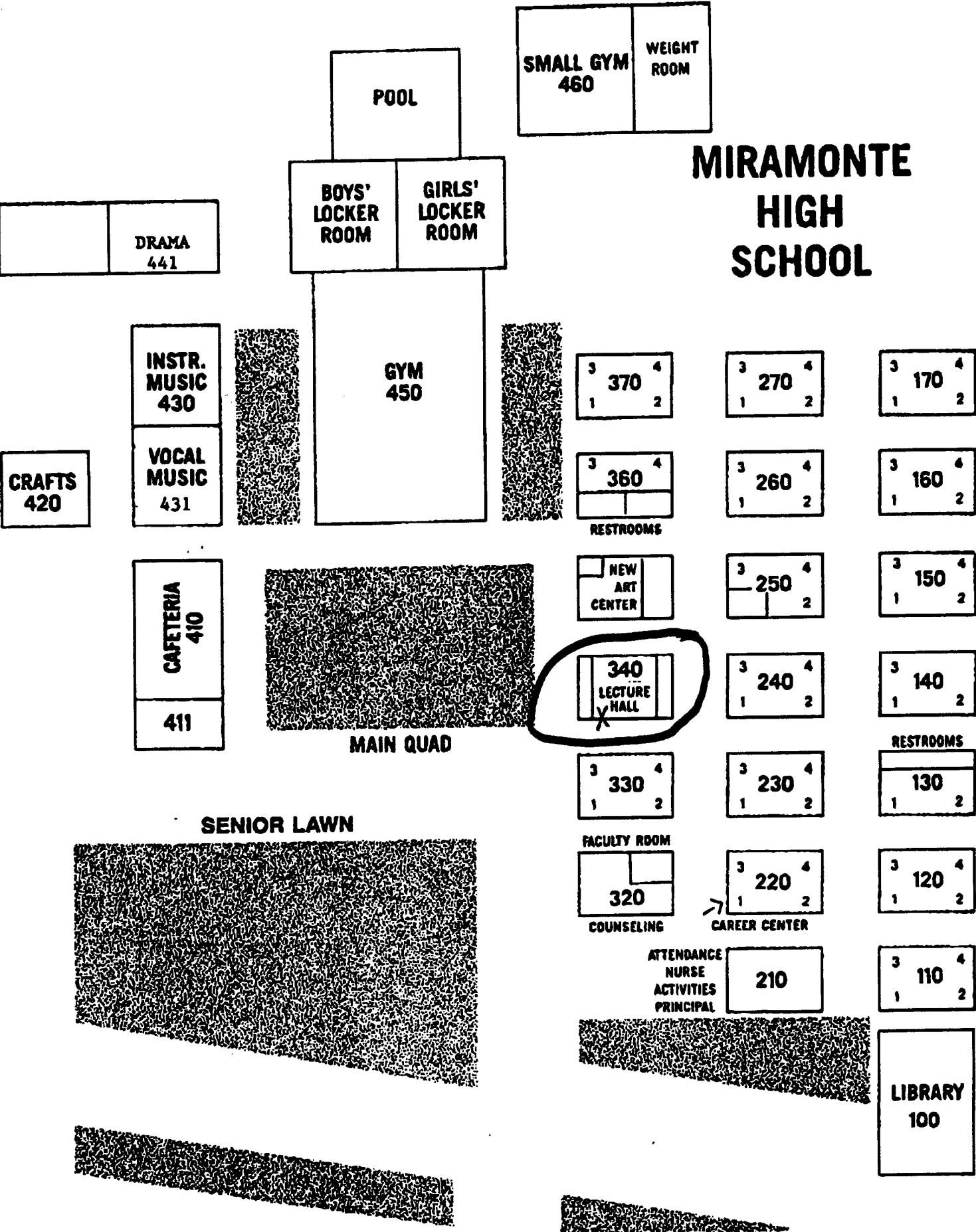


Figure 2 - Room Location